

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

BRITTNEY JACOBS,

Plaintiff,

vs.

CHANCE HILDEBRAND, in his official and individual capacities,
COREY O'NEILL, in his official and individual capacities, JOHN DOE, in his official and individual capacities,
CITY OF LIVINGSTON,
MONTANA, a Municipality,

Defendants.

CV 20-149-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on Defendants' motions for summary judgment. (Docs. 24, 27, and 31). The Magistrate recommended that Plaintiff's constitutional claims be dismissed, and the state claims be dismissed without prejudice for a corresponding lack of jurisdiction. (Doc. 44 at 35).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 44) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendants respective motions for summary judgment (Docs. 24, 27, and 31) are GRANTED as to Counts I and V and all other claims are DISMISSED without prejudice.

DATED this 9th day of February, 2023.


SUSAN P. WATTERS
United States District Judge